

REMARKS

The office action of May 28, 2004, has been carefully considered.

It is noted that claim 1 is objected to for containing various informalities.

Claims 1-7 and 10-14 are rejected under 35 U.S.C. 102(e) over the patent to Fajour et al.

Claims 8 and 9 are objected to for depending from a rejected base claim but would be allowable if rewritten in independent form.

In view of the Examiner's objections to and rejections of the claims, applicant has amended claims 1 and 3.

Applicant has amended the claims to remove the pronoun "it". With these changes it is respectfully submitted that the Examiner's objection to the claims as containing informalities is overcome and should be withdrawn.

It is respectfully submitted that the claims presently on file differ essentially and in an unobvious, highly advantageous manner from the constructions disclosed in the references.

Turning now to the reference, it can be seen that Fajour discloses a device that has an ink-jet print head and a row of jets, as well as a control for selectively controlling the jets of the print head for printing the letter under the print head. For printing the stamp, only one part of the jets is activated by the control and the other jets of the print head have through flow during idling in order to clean the jets and prevent crusting of the ink. For this purpose, a holder 31 is placed under the print head in order to catch ink from the jets to be cleaned. The cleaning takes place particularly in the time between the passage of one letter and the introduction of a next letter. The row of jet can be separated into a number of jet sets or groups that are alternately activated by the control for printing or cleaning.

As shown in Fig. 3 of Fajour and discussed in column 4, lines 7-24, the jets B0-B239 are selected for printing the stamp and the jets B240-B255 are not selected for the franking cycle but instead are activated for cleaning or idling. For the jets that are not activated for franking, a smaller holder is arranged under the

print head to catch the ink from the jets B240-B255 that are being emptied. The holder 31 must be constructed to catch the ink from the appropriate jets being cleaned. The jets not activated for printing the stamp are cyclically emptied, preferably after each franking cycle, when there is no letter in front of the print head. Although Fajour teaches a franking machine in which the ink-jet print head can be regenerated, the construction and the function are different than the presently claimed invention.

Fajour also does not disclose a transport device that has two drive rollers connected in driving connection with one another and forming together with the guide part a conveying path, which drive rollers, when viewed in the conveying direction, are arranged before and behind the print head, and has a counterpressure roller arranged opposite thereto, respectively, which exerts a pressure against one drive roller or the postal object transported therebetween and which is reversibly liftable, as in the presently claimed invention. Fajour further does not disclose the above features in combination with a service slide, arranged on a guide arrangement so as to be drivingly movable transverse to the conveying direction of the postal objects, that is moveable into a service position which is arranged underneath the print head when the counterpressure rollers are lowered, as in the presently

claimed invention. There is no disclosure of such a construction in the reference cited by the Examiner.

Furthermore, in the present invention the maintenance, i.e. cleaning of the print head jets, does not take place during franking, but instead when the device is not operating. In Fajour, on the other hand the maintenance takes place during an idling operation of the jets between two printing cycles. This is completely different than the presently claimed invention.

In view of these considerations it is respectfully submitted that the rejection of claims 1-7 and 10-14 under 35 U.S.C. 102(e) over the above-discussed reference is overcome and should be withdrawn.

Reconsideration and allowance of the present application are respectfully requested.



FE-16

Any additional fees or charges required at this time in connection with this application may be charged to Patent and Trademark Office Deposit Account No. 11-1835.

Respectfully submitted,

By F. Kueffner
Friedrich Kueffner
Reg. No. 29,482
317 Madison Avenue, Suite 910
New York, New York 10017
(212) 986-3114

Dated: September 23, 2004

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450, on September 23, 2004.

By: F. Kueffner
Friedrich Kueffner

Date: September 23, 2004